

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
/ DISTRICT OF COLUMBIA

BRIDGEWATER PRODUCTS, INC.
CO-PATENT OWNERS US 6,889,615, ET.AL

Plaintiff(s)

v.

PENSKE TRUCK LEASING,
DETROIT DIESEL CORP
STATE OF MICHIGAN,
UNITED STATES GOVERNMENT, ET AL

Defendant(s)

Case: 2:21-cv-12578

Judge: Michelson, Laurie J.

MJ: Grand, David R.

Filed: 11-02-2021 At 02:32 PM

CMP BRIDGEWATER PRODUCTS INC. VS

PENSKE TRUCK LEASING ET AL (DP)

REQUEST FOR TRIAL BY JUDGE

Now comes plaintiff with a Tort Claim against the United States for failure to meet 28 USC>§1346 The United states as a Defendant and 28 USC> §2674 Liability of the United States.

31 U.S.C. > §3729-30 mandates that the USAG make an appearance and "diligently investigate" any False Claims statute assertion. The United States failed to make an appearance in violation of 31 USC>§3729-30 statute and thus plaintiff brings this Tort Against The United States.

Plaintiff acting on behalf of the United States Attorney General under 31 U.S.C. >§ 3730 (b)(1) the False Claims Act and under 15 U.S. C.> § 1-15 has consistently sought resolution of the whistleblower claim and antitrust claim but the instant claim is a Tort against the United States Department of Justice, Office of USAG.

COUNT 1

28 U.S. Code § 2674. Liability of United States

The United States shall be liable, respecting the provisions of this title relating to tort claims, in the same manner and to the same extent as a private individual under like circumstances, but shall not be liable for interest prior to judgment or for punitive damages.

If, however, in any case wherein death was caused, the law of the place where the act or omission complained of occurred provides, or has been construed to provide, for damages only punitive in nature, the United States shall be liable for actual or compensatory damages, measured by the pecuniary injuries resulting from such death to the persons respectively, for whose benefit the action was brought, in lieu thereof.

With respect to any claim under this chapter, the United States shall be entitled to assert any defense based upon judicial or legislative immunity which otherwise would have been available to the employee of the United States whose act or omission gave rise to the claim, as well as any other defenses to which the United States is entitled.

With respect to any claim to which this section applies, the Tennessee Valley Authority shall be entitled to assert any defense which otherwise would have been available to the employee based upon judicial or legislative immunity, which otherwise would have been available to the employee of the Tennessee Valley Authority whose act or omission gave rise to the claim as well as any other defenses to which the Tennessee Valley Authority is entitled under this chapter.

Where defendant United States is liable respecting the provisions of this title relating to tort claims, in the same manner and to the same extent as a private individual under like circumstances for damages for failure to follow statute mandate in 31USC>3729-30 requiring appearance and investigation, and by failing to appear under 29USC>660 (c) on behalf of the Department of Labor and or failing to investigate within statutory 90 day limit, and for failing to

restrain violations per 15 USC>9 as is the duty of the United States Attorneys, which caused injury to plaintiff in loss of income and career, and loss of business, and caused undue exposure to State Court judgements in matters removed to federal jurisdiction, and prohibited the prosecution and maintenance of patent applications both foreign and domestic, where in these actions the defendant violated 15 USC>1-15 antitrust law.

COUNT 2
28 U.S. Code § 1346. United States as Defendant

(a) The district courts shall have original jurisdiction, concurrent with the United States Court of Federal Claims, of:

The district courts shall have original jurisdiction where the United States makes itself a defendant by acting against statute 31 USC>§3729-30 where defendant United States is liable respecting the provisions of this title relating to tort claims, in the same manner and to the same extent as a private individual under like circumstances for damages for failure to follow statute mandate in 31 USC>§3729-30 requiring appearance and investigation, and by failing to appear under 29 USC>§660 (c) on behalf of the Department of Labor and or failing to investigate within statutory 90 day limit, and for failing to restrain violations per 15 USC>§9 as is the duty of the United States Attorneys, which caused injury to plaintiff in loss of income and career, and loss of business, and caused undue exposure to State Court judgements in matters removed to federal jurisdiction, and prohibited the prosecution and maintenance of patent applications both foreign and domestic, where in these actions the defendant violated 15 USC>§1-15 antitrust law and is subject to payment of fines and damages.

COUNT 3
Violation of 31USC>§3729-30 The False claims Act
Requirement to act and entitlement to relief

(a) Responsibilities of the Attorney General.—

The Attorney General diligently shall investigate a violation under section 3729. If the Attorney General finds that a person has violated or is violating section 3729, the Attorney General may bring a civil action under this section against the person.

(b) Actions by Private Persons.—

(1) A person may bring a civil action for a violation of section 3729 for the person and for the United States Government. The action shall be brought in the name of the Government. The action may be dismissed only if the court and the Attorney General give written consent to the dismissal and their reasons for consenting.

(c) Rights of the Parties to Qui Tam Actions.—

(3) If the Government elects not to proceed with the action, the person who initiated the action shall have the right to conduct the action. If the Government so requests, it shall be served with copies of all pleadings filed in the action and shall be supplied with copies of all deposition transcripts (at the Government's expense). When a person proceeds with the action, the court, without limiting the status and rights of the person initiating the action, may nevertheless permit the Government to intervene at a later date upon a showing of good cause.

(d) Award to Qui Tam Plaintiff.—

(2) If the Government does not proceed with an action under this section, the person bringing the action or settling the claim shall receive an amount which the court decides is reasonable for collecting the civil penalty and damages. The amount shall be not less than 25 percent and not more than 30 percent of the proceeds of the action or settlement and shall be paid out of such proceeds. Such person shall also

receive an amount for reasonable expenses which the court finds to have been necessarily incurred, plus reasonable attorneys' fees and costs. All such expenses, fees, and costs shall be awarded against the defendant.

(h) Relief From Retaliatory Actions.—

(1) In general.—

Any employee, contractor, or agent shall be entitled to all relief necessary to make that employee, contractor, or agent whole, if that employee, contractor, or agent is discharged, demoted, suspended, threatened, harassed, or in any other manner discriminated against in the terms and conditions of employment because of lawful acts done by the employee, contractor, agent or associated others in furtherance of an action under this section or other efforts to stop 1 or more violations of this subchapter.

(2) Relief.—

Relief under paragraph (1) shall include reinstatement with the same seniority status that employee, contractor, or agent would have had but for the discrimination, 2 times the amount of back pay, interest on the back pay, and compensation for any special damages sustained as a result of the discrimination, including litigation costs and reasonable attorneys' fees. An action under this subsection may be brought in the appropriate district court of the United States for the relief provided in this subsection.

Where 31USC>§3730 mandates the defendant United States Attorney General diligently shall investigate a violation under section 3729, and mandates plaintiffs may bring a civil action for a violation of section 3729 for the person and for the United States Government, and mandates if the Government elects not to proceed with the action, plaintiffs who initiated the action shall have the right to conduct the action, and mandates if the Government does not proceed with an action under this section, plaintiffs bringing the action or settling the claim shall receive an amount which the court decides is reasonable for collecting the civil penalty and damages where

the amount shall be not less than 25 percent and not more than 30 percent of the proceeds of the action or settlement, and mandates plaintiff as any employee, contractor, or agent shall be entitled to all relief necessary to make that employee, contractor, or agent whole, if that employee, contractor, or agent is discharged, demoted, suspended, threatened, harassed, or in any other manner discriminated against in the terms and conditions of employment because of lawful acts done by the plaintiff as an employee, contractor, agent, where plaintiff's relief under paragraph (1) shall include reinstatement with the same seniority status that employee, contractor, or agent would have had but for the discrimination, 2 times the amount of back pay, interest on the back pay, and compensation for any special damages sustained as a result of the discrimination, including litigation costs and reasonable attorneys' fees and

the district courts shall have original jurisdiction where the United States is a defendant and the United states is liable relating to tort claims, in the same manner and to the same extent as a private individual under like circumstances for damages for failure to follow statute mandate in 31USC>§3729-30 requiring appearance and investigation, and by failing to appear under 29USC>§660 (c) on behalf of the Department of Labor and or failing to investigate within statutory 90 day limit, and for failing to restrain violations per 15 USC>§9 as is the duty of the United States Attorneys, which caused injury to plaintiff in loss of income and career, and loss of business, and caused undue exposure to State Court judgements in matters removed to federal jurisdiction, and prohibited the prosecution and maintenance of patent applications both foreign and domestic, where in these actions the defendant violated 15 USC>§1-15 antitrust law and is subject to payment of fines and damages where plaintiff was illegally discharged in violation of 31 USC>§3729-30 for exposing False Claims to the United states via plaintiffs work product.

COUNT 4
Violation of 15 USC>§1-15 Antitrust Law

Requirement to act and entitlement to relief

15USC>§1

Every contract, combination in the form of trust or otherwise, or conspiracy, in restraint of trade or commerce among the several States, or with foreign nations, is declared to be illegal. Every person who shall make any contract or engage in any combination or conspiracy hereby declared to be illegal shall be deemed guilty of a felony, and, on conviction thereof, shall be punished by fine not exceeding \$100,000,000 if a corporation, or, if any other person, \$1,000,000, or by imprisonment not exceeding 10 years, or by both said punishments, in the discretion of the court.

15USC>§9

The several district courts of the United States are invested with jurisdiction to prevent and restrain violations of section 8 of this title; and it shall be the duty of the several United States attorneys, in their respective districts, under the direction of the Attorney General, to institute proceedings in equity to prevent and restrain such violations. Such proceedings may be by way of petitions setting forth the case and praying that such violations shall be enjoined or otherwise prohibited. When the parties complained of shall have been duly notified of such petition the court shall proceed, as soon as may be, to the hearing and determination of the case; and pending such petition and before final decree, the court may at any time make such temporary restraining order or prohibition as shall be deemed just in the premises.

15USC>§15

(a) Amount of recovery; prejudgment interest Except as provided in subsection (b), any person who shall be injured in his business or property by reason of anything forbidden in the antitrust laws may sue therefor in any district court of the United States in the district in which the defendant resides or is found or has an agent, without respect to the amount in controversy, and shall recover threefold the damages by him sustained, and the cost of suit, including a reasonable attorney's fee. The court may award under

this section, pursuant to a motion by such person promptly made, simple interest on actual damages for the period beginning on the date of service of such person's pleading setting forth a claim under the antitrust laws and ending on the date of judgment, or for any shorter period therein, if the court finds that the award of such interest for such period is just in the circumstances. In determining whether an award of interest under this section for any period is just in the circumstances, the court shall consider only—

The defendant United States, and the State of Florida, and the State of Michigan by contract, combination in the form of trust or otherwise, or conspiracy, in restraint of trade or commerce among the several States, did transfer plaintiff's complaints from federal jurisdiction to state jurisdiction, and failed to follow statutes where the district courts shall have original jurisdiction where the United States is a defendant and the United states is liable relating to tort claims, in the same manner and to the same extent as a private individual under like circumstances for damages for failure to follow statute mandate in 31USC>§3729-30 requiring appearance and investigation, and by failing to appear under 29USC>§660 (c) on behalf of the Department of Labor and or failing to investigate within statutory 90 day limit, and for failing to restrain violations per 15 USC>§9 as is the duty of the United States Attorneys, where plaintiff was illegally discharged in violation of 31 USC>§3729-30 for exposing False Claims to the United states via plaintiffs work product, which caused injury to plaintiff in loss of income and career, and loss of business, and caused undue exposure to State Court judgements in matters removed to federal jurisdiction, and prohibited the prosecution and maintenance of patent applications both foreign and domestic, where in these actions the defendant violated 15 USC>§1-15 antitrust law and defendants are subject to payment of fines and damages where any plaintiff who shall be injured in his business or property by reason of anything forbidden in the antitrust laws may sue therefor in any district court of the United States in the district in which the defendant resides or is found or has an agent, without respect to the amount in controversy, and shall recover threefold the damages by him sustained , and the cost of suit, including a reasonable attorney's

fee and fines of up to one hundred million \$100,000,000 U.S. dollars per occurrence, where plaintiffs did experience loss in income and lost sales of patented technologies, and

where defendants provided no statutory support for their decision to violate law, or policy, that had rational basis in a permissible governmental objective and therefore violated the due process and equal protection prohibitions of the 14th Amendment to the U. S. Constitution.

Judgment Request


Wherefore,

Plaintiff seeks judgment under 15 USC>§1-15 Antitrust Law and 31 USC>§3730 The False Claims Act against The United States Department of Justice , for not less than Three Million \$3,000,000, U.S. Dollars, for damages equivalent to Front Pay in the case 05-70416-EDMI or 07-61540-FLSD where the USAG failed to appear, free and clear release of all debts, and/or liens against Plaintiffs, Plaintiff's corporations, their families, successors or assigns.

Plaintiffs also seek re-issue of all patents disclosed to the United States Patent and Trademark Office and the World Intellectual Property Organization. + DISCLOSURE DOCUMENT PROGRAM ENTRIES.

Plaintiffs also seek vacation of all judgements and orders in State Courts for matters removed to federal jurisdiction.

Respectfully submitted,


Paul Bridgewater for USAG 31 USC>§3729-30, 15USC >§1-15

+ CO-PATENT OWNERS # 6,889,615
+ BRIDGEWATER PROD. INC.
101 GREEN HILLS DR.
SALINE, MI 48176

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

(b) County of Residence of First Listed Plaintiff WASHTENAW
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

CO - PATENT OWNERS #6889615
PRO SE.

DEFENDANTS

County of Residence of First Listed Defendant WAYNE/EDMI
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

AUSA
UNITED STATES GOV'T, ETAL

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff
- ☒ 2 U.S. Government Defendant
- ☐ 3 Federal Question (U.S. Government Not a Party)
- ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | | | | | | |
|---|----------------------------|----------------------------|---|---------------------------------------|----------------------------|
| | PTF | DEF | | PTF | DEF |
| Citizen of This State | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State | <input checked="" type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)

Click here for: Nature of Suit Code Descriptions.

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES	
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	<input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 835 Patent - Abbreviated New Drug Application <input type="checkbox"/> 840 Trademark <input type="checkbox"/> 880 Defend Trade Secrets Act of 2016 SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS - Third Party 26 USC 7609	<input checked="" type="checkbox"/> 375 False Claims Act <input checked="" type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit (15 USC 1681 or 1692) <input type="checkbox"/> 485 Telephone Consumer Protection Act <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	PRISONER PETITIONS Habeas Corpus: <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty Other: <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement			

V. ORIGIN (Place an "X" in One Box Only)

- ☐ 1 Original Proceeding
- ☐ 2 Removed from State Court
- ☐ 3 Remanded from Appellate Court
- ☐ 4 Reinstated or Reopened
- ☐ 5 Transferred from Another District (specify)
- ☐ 6 Multidistrict Litigation - Transfer
- ☐ 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

15- USC > 1-15 & 31 USC > 3729-30

Brief description of cause:

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

DEMAND \$

\$ 7.5 M

CHECK YES only if demanded in complaint:

JURY DEMAND: ☐ Yes ☒ No

VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE

TARNOW

DOCKET NUMBER

05-70416-EDMI

DATE

SIGNATURE OF ATTORNEY OF RECORD

PAUL BRIDGEWATER

FOR BRIDGEWATER PROD.

FOR OFFICE USE ONLY

RECEIPT #

AMOUNT

APPLYING IFP

JUDGE

MAG. JUDGE

PURSUANT TO LOCAL RULE 83.11

1. Is this a case that has been previously dismissed?

☐ Yes

☐ No

If yes, give the following information:

Court: _____

Case No.: _____

Judge: _____

2. Other than stated above, are there any pending or previously discontinued or dismissed companion cases in this or any other court, including state court? (Companion cases are matters in which it appears substantially similar evidence will be offered or the same or related parties are present and the cases arise out of the same transaction or occurrence.)

☐ Yes

☐ No

If yes, give the following information:

Court: EDMI

Case No.: DS - 70416

Judge: TARNOW

Notes :
